

MINUTE ITEM

This Calendar Item No. 32  
was approved as Minute Item  
No. 32 by the State Lands  
Commission by a vote of 2  
to 0 at its 11/30/77 CALENDAR ITEM  
meeting.

32.

11/77  
W 1339  
Hight

DISCLAIMER OF STATE'S INTEREST

The United States has filed an action in the District Court for the Northern District of California condemning 6.80 acres of land in Santa Clara County for a limited easement, and has named the State of California as a party. The records of the State Lands Commission indicate that the State has no interest in the condemned lands.

The action, United States of America v. 6.80 Acres of Land, et al., Civil Action No. C 77-2284 WWS, condemned the land to provide a safety arc to conform with safe-distance requirements of a missile storage facility at the Moffett Field Naval Air Station. The estate to be taken is an easement that will restrict the use of the land to salt production by the solar evaporation process and activities that are related thereto. Construction of any building suitable for habitation will be prohibited under the easement. All other rights, titles, and interests will remain with the condemnees.

The records of the State Lands Commission indicate that the condemned lands are wholly within Parcel SC-9, which was patented to the Leslie Salt Co. by instrument recorded in Book 8013, Official Records of the County of Santa Clara, at page 394, on February 1, 1968. The staff has determined that the State has no interest in the condemned lands.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO FILE WITH THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA A DISCLAIMER OF ANY INTEREST OF THE STATE OF CALIFORNIA IN UNITED STATES OF AMERICA V. 6.80 ACRES OF LAND ET AL., CIVIL ACTION NO. C77-2284; SANTA CLARA COUNTY.

EXHIBIT: A. Site Map.

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